

FAX COVER SHEET

To: Office Initial Pat Exam (USPTO)

From: Dallas Cloutre

Re: Application No 10/612,648

Date: 1/23/04 7:15 PM

Pages: 4 (including cover)

Message:

Letter response and two USPTO documents follow
Dallas L. Cloutre





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| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/512,648 | 07/02/2003 | 1614 | 440 | | | 6 | 1 |

CONFIRMATION NO. 3676

DALLAS L CLOUTRE
1247 LINCOLN BLVD #112
SANTA MONICA, CA 90401



OC000000011619639

Date Mailed: 01/05/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Dallas L. Clouatre, Santa Monica, CA;

Assignment For Published Patent Application

XEROX CORPORATION, Stamford, CT;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/393,661 07/02/2002

Foreign Applications

If Required, Foreign Filing License Granted: 09/26/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ******Title**

(-)-Hydroxycitric acid for controlling inflammation



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PAGE 4/4 * RCVD AT 1/23/2004 10:14:23 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/0 * DNIS:7469195 * CSID:(310) 656-0475 * DURATION (mm-ss):02-20

FAX COVER SHEET

To: **Office Initial Pat Exam (USPTO)**

From: Dallas Clouatre

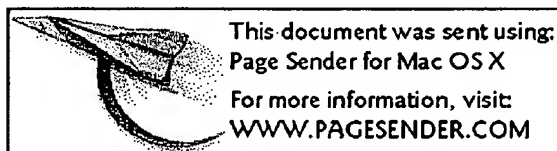
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Dallas L. Clouatre



Dallas L. Clouatre, Ph.D.
1223 Wilshire Blvd. #761, Santa Monica, CA. 90403-5400
TEL: (310) 656-0474 FAX: (310) 656-0475

January 23, 2004

Office of Initial Patent Examination's Filing Receipt Corrections
Fax No. 703-746-9195

RE: Application No. 10/612,648 Filing Date: 07/02/2003
Dallas L. Clouatre, applicant
(-)-Hydroxycitric acid for controlling inflammation
Response to letter mailed 01/05/2004

Dear Sir/Madam:

Recently, I received your Confirmation No. 3676 notice / Receipt Acknowledgement in conjunction with a Formalities Letter / Notice to File Missing Parts of Nonprovisional Application. There appear to be errors in both documents and I am faxing copies of these documents along with this response.

First, in the Confirmation under "Assignment for Published Patent Application," there is a listing of XEROX CORPORATION. *This assignment is in error. I have made no assignment.* Therefore, there should be no listing under the assignment.

Second, with regard to Missing Parts, I spoke with someone in your office on 12/05/2003 and was informed that the \$10 fee derives from an increase in the Small Entity Filing Fee that was only instituted on 10/01/2003. Please note that this increase took place three months *after* this Application was filed. Therefore, the additional fee of \$10 listed in the Notice to File Missing Parts of Nonprovisional Application clearly is in error.

Moreover, I spoke with a representative Robinson in your office on 12/23/2003 and was informed at that time that the Missing Parts notice had been withdrawn. I was advised during this conversation that the Application was complete and that no further fees were required. Hence, it came as a great surprise to receive a notice from your department dated 01/05/2004 informing me that there remained a Missing Parts fee in effect.

Please correct the error in the assignment. Also, please look into the issue of the Missing Parts fee. The fee in question cannot be correct inasmuch as it is retroactive for an application filed three months before the new pricing took effect.

Thank you in advance for your help in this matter.

Sincerely,


Dallas L. Clouatre, Ph.D.

Enclosures/Attachments: 2



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CONFIRMATION NO. 3676



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CONFIRMATION NO. 3676

FORMALITIES LETTER



OC000000011619638

Date Mailed: 01/05/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 10 to complete the basic filing fee for a small entity.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$10** for a Small Entity

- **\$10** Statutory basic filing fee.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

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